

KENTUCKY WHIG.

BY NELSON NICHOLAS.

LEXINGTON, OCTOBER 6, 1825.

VOL. I.—No. 3.

PRINTED EVERY THURSDAY MORNING BY
ALBERT G. HODGES.

Subscription—For one year, : : : \$2 50
No subscription received for less than a year, and
must be paid in advance.
Advertising—15 lines, 3 times, : : : \$1 00
For every time continued, : : : 25
To annual customers, a discount of 20 per cent.
The above terms are *specie*.
Job Printing will be neatly and accurately executed,
at the established prices of the other offices.

Foreign Intelligence.

From the National Journal.

By the Florida Capt. Tincham, which arrived at New-York, on Monday evening, London papers to the 13th ult. and Liverpool to the 16th, inclusive, have been received.

Another extensive house in Liverpool has failed. The debts of the first house which stopped payment, are stated at 400,000 sterling, about 1,800,000 dollars. These defalcations are attributed to injudicious speculation in Cotton. It is, notwithstanding, asserted, that Cotton will soon experience a new rise; when a hope is expressed that the evil of the present distress will be retaliated on the spinners who have caused it.

Mr. Graham, the aeronaut, made his 30th ascent at Norwich, on the 6th ult. The balloon rose calmly and majestically, until it was lost to the beholders, having entered a cloud. But, having passed through the intercepting medium, it again made its appearance, and rose beautifully. It descended in about half an hour, in perfect safety; and the bold adventurer returned to Norwich in time to partake of the pleasures of the evening.

Mr. Collon, the author of *Lacon*, is in Paris. A journeyman baker in London, has just gained by lottery, the barony of Forkleschin, in the principality of Anspach, and is now in possession of 120,000 francs. The first use he made of his riches, was to buy 70,000 loaves of rye bread, which he distributed to the poor, with a pot of beer to each.

There are rumors of a change of the French Ministry; and a number of names are mentioned as about to be called into the King's Councils, but no reliance is placed on the list.

M. de Villele's financial measure of reducing the national debt by inducing the French holders of 5 per cent. stock, at the rate of 75¢ cash for every 100¢ stock—or, in other words, in inducing the holders of 5 per cents. to accept an interest of 4 per cent. on a newly-created stock, though he proposed giving them a nominal bonus of 25 per cent. on their principal, has not as yet been successful; although the *Courier* declares that it has been far more so than the opponents of the Minister predicted, and will eventually be completely so. The *Morning Herald* says—"Had M. Villele proposed the exchange at the rate of 80¢ cash for every 100¢ stock, he would in all probability, have carried his point; in such case, we hardly think there would have been a dissentient. It would appear that out of a debt of about 200,000,000 of our money, paying an interest, or annuity of about 10,000,000, as sentes only to the amount of 25,000,000 paying an interest, or annuity, of 1,250,000, have been found.

The sum so sent to of capital in English money is about
The dissentients amount to

And so far as interest is concerned—
The assentees amount to about
The dissentients to about

The assentees, therefore, are in the proportion of 11.4, as compared with 8.4 dissentients.

It is reported, that five or six persons employed at Marseilles in protecting the public health against the plague, have taken the disease and died.

The workmen employed in the extensive Cotton manufactories near Rouen, to the number of 7 or 800 have imitated their English brethren, and turned out for an increase of wages. They attacked the property of the manufacturer with sticks, staves, and muskets, and were not quelled until the military were called in. A battle then ensued, and several were killed—among them one soldier. This is the first "Turot" that ever occurred in France. Other scenes of devastation have occurred in the Communes of Pavilly, Barentin, and Desville, by the workmen of the cotton manufactories.

France and Hayti—The news of the recognition of the independence of Hayti, by France, is received with general satisfaction, both in France and England. The *Courier* says, in a political point of view, it is of great importance.

The news from Madrid is to the 23th of July. A battalion of the 3d regiment of the line has revolted at St. Andre, when it had received orders to embark for the Havana; the embarkation, however, was enforced.

Several of the members of the Junta of Public Safety have sent in their resignation. Among these is the Duke de L'Infantado, the President.—The cause is said to be the irresistible force of the Ultras, who will not allow the existence of a body to exercise a surveillance on their plots.

The celebrated Optician, Sfrayel, of Bale, has just finished an improved telescope, sixty-four feet long. It is said, that with the aid of this enormous instrument, several learned persons have been enabled to discover animated beings, roads, monuments, and temples, in the moon.

The speculative shipments of cotton from Egypt have been checked, the crop having fallen short about 70,000 bags, which has compelled the Pacha to violate his engagements, and to send away the vessels chartered by his agents, with short cargoes. The revenue of the Pacha, will, it is expected, present a gloomy aspect this year. The character of the Pacha for fidelity in his pecuniary engagements, has also suffered materially; and many cargoes shipped to England, on his account, have been attached to liquidate claims rising out of those engagements.

From the National Journal.

The British in Burmah.—By the latest official accounts, it appears that the British forces, down to the tenth of February last were making considerable progress in the Burman territories. Assam was a province of the Burmese Empire, and the inhabitants by the Asiatic right of conquest, were held as slaves. When the British Troops landed at Rangoon, the Assamese, through their Rajah, requested military succours, for their defence against the invaders, from the King of Ava. These succours were collected and sent. The Burmese Commander, Moonkoong Alamhoo, (or Samhooken,) finding that the Assamese were playing a double game, by giving countenance to the British invaders, and showing an intention of weakening both parties by exciting them to fight with each other, wrote a letter to Lieut. Col. Richards, the English officer commanding in Assam, offering to evacuate the country provided he might retire unmolested. To this the British officer agreed; so that it is possible, before this time that the country of Assam is entirely in the hands of the English.

The barbarous practice, so prevalent with Eastern nations, of considering the inhabitants of all conquered countries as slaves, is probably the principal reason why these conquests have been so little durable. Instead of being received upon equal terms among the original subjects of the conqueror, the enslaved people have been degraded by the harshest treatment and the most oppressive exactions. The consequence has invariably been that they have seized the first opportunity that presented itself to escape from the cruelty of their imperious masters, even if it were only into a different kind of bondage. The English find the same facilities from this source of discontent that the Spaniards did on their invasion of Mexico. The native tribes who had been subdued by the Mexicans joined the standard of Cortes eagerly seizing the occasion to wreak their vengeance on their former conquerors. The British Government has too nearly imitated this despotic policy of Asia, in their treatment of the Irish whom they have too long regarded as a conquered people. Hence the spirit of revolt is so often displayed in Ireland, and the invitations held out to the French to invade the Island. We reflect, with pleasure, that under our happy form of government, oppression by conquest can never occur. Conquest, indeed, is a term almost unknown to our political vocabulary. But whether the United States acquire additional territory or population by purchase or arms, there can be no room for complaint; for our free institutions guarantee to every one living under our constitution and laws, religious and civil liberty in its highest degree of perfection. Indeed, so well adapted to the felicity of mankind at large are the principles and practices of our government, that arbitrary sovereigns are as much, if not more, afraid of our political doctrines, as they are of our physical strength; fearing, as they do, the natural disposition of men to embrace whatsoever is conducive to their welfare.

Late accounts from India also inform us that Siam and Pegu are throwing off their allegiance to the Burman Empire. Pegu was an independent Kingdom until 1751, when it was reduced to subjection by the sovereign of Ava. These Eastern acquisitions of Great-Britain will, for the present, only have a commercial effect in her favour, although it cannot be doubted that, eventually, they will give her increased political influence in the affairs of Asia. The British will never content themselves in that region, we presume, until they have broken up the Chinese policy of exclusion, to which all their conquests eastward of the Bay of Bengal will be only preliminary.

By the last accounts it appears that the British arms had met with a slight check, which had caused a temporary interruption to their conquests. Two unsuccessful attempts to take possession of the island of Ramree had been made. At each time they were met so resolutely that they were compelled to retreat to their shipping after suffering severe losses.

From the following remarks upon the recently published financial statements of the British East India Company, it would seem that the effects of the protracted war with the Burmese will, probably be seriously felt; for, besides the enormous expenses incurred in their endeavors to extend their conquest towards China, it appears that several of the governments are now a heavy charge to the Company. These burdens, added to the great expenses necessary in continuing the contest with a people numerous and brave, (notwithstanding their ignorance of the art of war,) as the Burmese are represented, must, in the end, so absorb their means that they will be unable, alone to continue the war for any prolonged period.

[From the London Times of August 2.]

The printed statements of India finance are at this moment more than commonly entitled to notice, from the increased public interest arising out of the war pressure upon the company.

The accounts extending to 74 folio pages of arithmetic, we shall not trouble our readers with more than a brief abstract of the sums-total. There is, or appears to be, (for we do not vouch it,) a surplus revenue from the Company's empire, after paying all charges, military and civil, in India, exclusive of the interest on debt; but the expenses of the home establishment, viz. Leadenhall-street in its innumerable departments and dependencies, form no item in the statements of charge referred to, so far as we can discover. These home disbursements constitute, no doubt, together with interest on debt, the application or consumption of the net revenue, as of the profits resulting from the China trade, for the monopoly of which on behalf of Leadenhall-street, the English nation is so preposterously, but so grievously, taxed.

The revenue of Bengal only, as estimated for 1823-1824 stands in the accounts at - - - 413,215,300 (being less than that of the year preceding by upwards of 900,000)
The charges as estimated for the same 1823-1824, are - - - 79,490,772 (being more than the expenses of the year preceding by above 550,000.)
The net surplus, therefore, from Bengal, as estimated for 1823-1824, would be - - - 3,724,528 (falling short of the net revenue of the previous year by nearly a million and a half)

But again an estimate made in contemplation of war, is very apt to be too favorable in its anticipation both of receipts and charges. The difficulties, crosses, delays, and consequent expenditure of the Burmese war, were, we imagine, not quite of a nature to be correctly appreciated by the sort of men who undertook that contest. There seems reason to be apprehensive, therefore that the net income from Bengal enjoyed by the company, for the years 1823-1824 will by no means exceed, if it should not on the contrary fall short of the estimates in the official document. However Bengal is the only presidency from which any thing like a surplus revenue is not anticipated; all the others, without exception, yield what is facetiously termed "a net charge"—that is to say, an ex-

cess of expenditure over income. Thus Madras for the above mentioned year, is, instead of a profit, to be a burden of more than 660,000£; Bombay, 101,000£; Bencoolen, 76,000£; Prince of Wales's Island, 50,500£; and so on. This will be a deduction from the surplus revenue of Bengal to the amount of 837,500£. To this must be added the interest on the Company's debt amounting for all the presidencies to 1,735,000£; add St. Helena, about 112,000£; and these several sums, when subtracted from the estimated net income of Bengal, reduce the proceeds to 938,000£, short of a million sterling, with which to pay off debt, to support (as we must take for granted) large home establishments, and to carry on a tedious, extensive, and incalculable war. Of the China trade, to be sure they tell us nothing; but if it be not more flourishing than the Bengal treasury, it may be said that the Honorable Company had better look about them.

EGYPT.—Letters from Alexandria, of May 23, state that it was understood that the Pacha of Egypt meditates to possess himself of the countries bordering on our Indian possessions, and that his Egyptian Highness afforded very evasive replies and explanations to questions of our Consul-General on matters so important to the British Empire. We have always heard from travellers complaints of French influence in Egypt, and believe what the letters express, that the French General Boyer is in high favour, and the army of the Pacha is to be made and to be considered a French army.

The Pacha continues unabated shipments on his own account of cotton and other valuable produce, to every European market. The extraordinary turn which Cotton had taken in this country, was known, and the high speculative price which it bore for a short interval in the British markets; the consequence is, that no good cotton can be obtained at any price.

The Pacha, allured by the prospect of immense prices for cotton, is said to have refused the delivery of ten thousand bags, sold to his own favourite agents, an English house, prominent in the trade between this country and Egypt; but this is not surprising, as individuals of every nation are subjected to similar disappointments, for, we understand, an American Gentleman has not fared better—having, through a high and diplomatic channel, sold a fine vessel to his Highness at 16,000 Spanish dollars, two days after the same his Highness would not pay more than 14,000 Spanish dollars, and every representation of such a departure from the word of a Highness proved unavailing.

London Paper.

Paris, Aug. 11.—Gen George M'Gregor, Cacique of Poyais, in Central America, has just granted a large tract of territory to a company about to establish a French colony on it.

Madrid, July 27.—"The necessity of having experienced officers in the corps which are going to America, has induced the Minister of War to employ a great number belonging to the ancient army, who have not yet undergone any sentence of purification."

"It is said that a battalion of the third Regiment of the Spanish line has revolted at Saint Adra, in consequence of their having received orders to embark for the Havana. They were disarmed, however, and compelled to embark."

Translated for the National Journal from the "Gaceta de Madrid" of the 14th July, 1825.

On Sunday, the 10th instant, the King our Lord received at a special audience, and with the usual ceremonies, Mr HUGH NELSON, the Minister Plenipotentiary of the United States, who, on presenting to His Majesty his letter of recedence, addressed him in the following terms:

"With your Majesty's permission, I have the honor to present to you a letter from the President of the United States, addressed to your Majesty, their great and good friend."

"The President of the United States, whom I have had the honor of representing for some time at the Court of your Majesty, on permitting me to return to my country, has charged me to avail myself of the occasion of taking leave of your Majesty to assure you of the continuance of his friendship, and of his sincere desire to preserve and consolidate the harmony and good understanding which happily subsists between both nations."

"I am likewise commissioned to assure your Majesty, that President Adams, recently advanced to the Chief Magistracy of the United States, is animated by the same sentiments of good will and friendship towards your Majesty and the Spanish Nation which were entertained by his predecessor, President Monroe; and that President Adams will cheerfully avail himself of every opportunity which may be presented to him, during his administration, to demonstrate the sincerity of these sentiments, adopting on his part whatever measures may tend to strengthen and perpetuate harmony and friendship between both governments."

"I have been also directed to represent to your Majesty, that, although there still exists some unsettled questions which arose between the two governments, and which were presented by me to the government of your Majesty, nevertheless President Adams places the utmost confidence in the justice and uprightness of your Majesty, and, therefore, trusts that these questions will be decided in a fair and liberal manner, and that my successor, ALEXANDER H. EVERETT, who sometime since resided in the capacity of Minister Plenipotentiary of the United States at the Court of the King of the Low Countries, and who is now about to fill the same station near the person of your Majesty, may be enabled to bring to a happy conclusion all the negotiations pending."

"On taking leave of your Majesty, I cannot do less than express to you my profound gratitude for the kindness and good will which you have manifested towards me on various occasions; and I pray you to receive my sincere and ardent wishes for the happiness of your Majesty and your Royal Family, and for the prosperity of your people. May the Supreme Creator of the Universe preserve and prosper your Majesty for many years."

His Majesty received Mr. Nelson with his usual kindness and benevolence.

From the New-York Gazette.

THE EAST INDIES

We have received Calcutta papers to the 20th of April, which we mentioned in our last. They contain the official accounts of the capture of Arracan from which it appears that the affair was conducted by the

South Eastern Division of the army under Brigadier General Morrison, C. B. The preparations for the attack commenced on the 24th March, and if we may judge from the official reports, were conducted with great energy and spirit up to the time of the capture. Many difficulties were encountered, owing to the Burmese having chosen such an excellent position, being by a broad river, whose floods were only passable at nearly low water, and whose banks were not only steep, but were covered with sharp stakes. The final attack was made at night and the enemy's stockade was gained situated on a Peninsula, protected without a single man being killed, and with only a few slightly wounded. The Burmese troops amounted to about 10,000 men, under Atown Mungza, and were nearly annihilated—the report stating that it was more than probable that not 1000 would reach Ava, and not even then but by the permission of the Governor General. Little or nothing of value was found in Arracan, and it was supposed that they had either secreted or carried off their valuables.

It appears however that the British arms were not successful in every instance, as the papers contain unfavorable accounts from Rangoon. The division under Sir Archibald Campbell reached Sarave on the Irrawaddy (112 miles from Rangoon) on the 3d March, and eight days march from Prome, whither he was destined, without losing a man. It was the intention of the commander of the forces to halt at this place until he could communicate with Brigadier General Cotton, of whose operations subsequent to the capture of Palany, no accounts had been received at Head Quarters down to the 4th of March.

The following account of the defeat of Brigadier General Cotton is given in the Calcutta Government Gazette of April 4:

"Brigadier General Cotton attacked the enemy's position at Donabew on the 8th inst. at Pagoda, which was carried with a loss to the enemy of 4000 killed, wounded and prisoners. The second stockade, distant from the fort 500 yards, was then cannonaded and attacked. This attempt proved unsuccessful, and the Brigadier General finding that his force was not strong enough to carry the main stockade (even had he taken the second,) and being exposed to a heavy fire, judged it prudent to re-embark the troops and drop down four miles below Donabew, until reinforced.—Our loss was heavy on the occasion, amounting to 130 killed and wounded including in the former Captains Rose and Cannon, of H. M. 89th."

A subsequent account from Rangoon of the 30th March states, that General Cotton had been repeatedly attacked in the position to which he retreated after the affair of Donabew. The enemy's war boats had become formidable, and it was not deemed prudent to trust the steam vessel too near them, as her capture or destruction would be severely felt. Donabew is said to be the strongest hold in the Burman Empire, being circumvallated with three entrenched stockades and in the approach to it there were two others.

Bassein was taken possession of on the 4th of March, without opposition; the Burmans driving away the population, and retiring after setting fire to the town and destroying five ships which they had there.

The letter which gives the foregoing particulars of the attacks on general Cotton adds—"By some mistake the main army under Sir Archibald passed Donabew 40 or 50 miles before they were aware of it, and the enemy between himself and the Brigadier; but on his finding he did not join him he has fallen back to his assistance, where report says he has arrived and we are now waiting the result. Some say a grand attempt is meditated by bombarding it with the whole of the heavy guns and mortars; others say he will attempt it by sailing."

The attack on Donabew was expected to be very obstinate. The English soldiers were very eager to attack them, and would take few prisoners, as the Burmese, as they are called, had dug up the English who had been killed, and having mutilated the bodies fixed them on rafts and set them adrift among the English vessels.

A letter from the District of Patnesh, dated March 29th, says—"Our Indigo prospects are far from promising, owing to the refractory state of the Ryots which renders Indigo planting an arduous and unpleasant business."

A volcano has recently been discovered in the Himalaya Mountains.

From Peru.—The *Garonne*, at N York, which left Lima, June 18th, has brought numerous letters. The frigate *Constitution*, Com. Hull, had arrived at Chorrillos. Callao it was thought by some would be starved into submission in about two months. Other letters state that there is no prospect of its surrender for a long time, as Rodil had still a large supply of provisions. The Patriots had thrown up a battery within gun shot of Callao, and mounted six 24 pounders, and they were continually firing upon one another, but without much effect. The object of this battery was to prevent Rodil's cattle from coming out to graze, which in some measure succeeded. The castle mounts upwards of two hundred brass 24 pounders, and a number of smaller cannon—it is surrounded by a ditch 70 feet wide and of the same depth.

The letters complain much of the vexatious regulations, or rather want of regulations, of the Custom House, which occasion much unnecessary inconvenience to our trade. The ship *Arethusa*, of Baltimore, after waiting several weeks for a clearance sailed without one, bound to the coast of Brazil, with her outward cargo of 2200 barrels of flour.

The ship *Gen Brown*, of New York, under seizure, charged with having Spanish property on board contraband of war, "has been waiting 5 or 6 months for a trial—as soon as it comes near to a close, they turn out a judge and institute a new court—if the ship is cleared, which is very doubtful, such unheard of detention will run her voyage. There is a brig in port in the same situation."

Nat. Gaz.

Captain Putnam, who arrived at Salem on Thursday last, in the ship *Eliza*, from Leghorn, states that previous to his sailing a report was in circulation that an unsuccessful attempt had been made to assassinate the Pope of Rome.

COMMON LAW.

FROM THE NEW YORK NATIONAL ADVOCATE.

To JOHN L. WILSON, Esq. late Governor of the State of South Carolina.

SIR: I have read, with much satisfaction, your letter, addressed to me, in the New York National Advocate of this morning. I am glad that you follow the example of President Cooper, in giving publicity to your sentiments. If discussions of important topics be of any use, their utility is greatly increased by the extensive and rapid circulation of a daily paper. It was so that the wise and virtuous Franklin thought, and his communications through that channel were of more use to his country than the most ostentatious volumes, and, I think, concealing his name is but false modesty in a writer, whose aim is to do good. For, though a name be no authority, it is still a pledge of loyalty and confidence. It shows that there is no hidden motive of intrigue; no mystery or disguise; no fear of personal attack which the shield of an honest character cannot repel; and I shall, therefore, continue, though at a distance to imitate those who have so done.

You say, and I trust your prediction will be fulfilled, that New York is destined to be a great precursor in the development of the riches of our common country; and what you say of our present Governor is deserving of attention.

The message of Governor Clinton to the last Legislature comprehends a great variety of important topics, but none more so than his recommendations of a digest of the law; and I cannot better do justice to him, than to repeat his words, which were these:

"A complete code, founded on the salutary principles of the common law, (I wish he had said common law, which would have embraced the common sense of mankind,) adapted to the interest of commerce and the useful arts, the state of society, and the nature of our government, embracing the improvements which are enjoined by enlightened experience, would be a public blessing. It would free our laws from uncertainty, elevate a liberal and honorable profession, and utterly destroy judicial legislation which is at war with the genius of representative government."

Against such clear positive and overwhelming truths as these no true American will set his face; no sophistry can hold.

Have the Legislature done their part? That is another question. Much of their time was certainly consumed in things less valuable or beneficial to their constituents. But something they have done. Far from declaring the measure inexpedient, they have given very large powers to a committee for the revision and amendment of the statute law; and I do believe there is in reserve a great force of good plain common sense, as well as professional and liberal learning that will, now that a breach is made in the antique feudal hold, mount it, sword in hand. The people will have it; reason will have it. May prudence and integrity guide their counsels, and may the execution be committed to pure hands and sound heads. It must be a work of time and labor, but it will be a glorious one.

Besides this general recommendation, Mr. Clinton particularly advised an amendment to the common law on a point very interesting to the mercantile world. This was also referred to a committee, and there it rested. In the mean time, another country bore away the honor, and we must now be content to play the part of imitators. Our merchants were often aggrieved by the security of goods upon which they had made advances, being wrested out of their hands by latent claims of foreign consignors, upon the ground that those who pledged the goods were but their factors. This law was oppressive and unjust in its operation. It rendered property insecure, which is the bane of commerce. The possession of the goods made the factor, to every appearance, owner. Their relation was known to themselves alone. The advance was in good faith, without any notice of any other owner; and natural justice pointed out that he who trusted the person should look to the person, and he who was a stranger and trusted to the goods, should have his lien respected. Prudence suggested that this law must lead to collusion and deceit, and be but a commission to rob, and experience warranted the presumption. It happened that the same measure was brought forward in the British Parliament, and passed there into a law, in spite of the obstinate resistance of that "regular built" common lawyer, Mr. Scarlett; and the interest of commerce triumphed. Why could not this have been effected with us? It surely was not worse for being recommended by Governor Clinton, than it was upon being brought forward by an English member.

One word more. Mr. Clinton has said that, his proposed improvement would elevate a liberal and honorable profession. I think every honorable member must, if prejudice do not cloud his judgment, feel this truth. The vices of our jurisprudence are ruinous to the high-minded and highly qualified. I met with an observation lately, I think in the American, that "our great lawyers were most genteelly poor." I was struck with the force of it. Printing or book-making, for good or for bad has brought about a mighty revolution. The mysteries of practice and special pleading are divulged. They have passed into inferior hands. Even bad Latin now is of no avail.

A constable can take the distinction between trespass and case, and move and obtain a nonsuit, and glibly tell the learning of the roguish entries of the "tres erudit Edmund Saunders, Chevalier, Nadgairs Senior Chief Justice del Bank le Roy," who began by being a beggar boy, grew up a filthy person and a dissolute wag, and with these qualities rose to be Chief Justice to the 2d Charles, of his "Bank le Roy." And this was he who boasted, as you have shown, that he had more law than king, lords, and commons.

If the law continues tricky and dishonest, it will be for rogues and tricksters to pursue it. If it be nothing but stringing of cases, a dunce, with a case, will, as Mr. Waddock observes, do better than a Cicero without one. If it run into affidavits "by advice of counsel," the counsel that will advise them will be

"Jeffreys did not immediately succeed Sir Francis Pemberton, whose immediate successor was Sir Edmund Saunders, a man of too extraordinary a complexion to be passed over in silence. He was originally a strolling beggar about the streets, without either known parents or relations. He came often to beg scraps at Clement's Inn, where he was taken notice of for his uncommon sprightliness; and as he expressed a strong inclination to learn to write, one of the Attorney's Clerks taught him and soon qualified him for a hackney writer. He took all opportunities of improving himself, by reading such books as he borrowed of his friends, and in the course of a few years he became an able Attorney and a very eminent counsel. His practice in the court of King's Bench was exceedingly by honor; his art and cunning were equal to his knowledge; and he carried many a cause by laying snares. If he was detected, he was never out of countenance, but evaded the matter with a jest, which he had always at hand. He was much employed by the king against the city of London, in the business of the quo warranto. His person was as heavy and ungainly as his wit was alert and sprightly. He is said to have been 'a mer-lump of morbid flesh,' the smell of him was so offensive, that people usually held their noses when he came into court. One of his jests on this occasion was, that 'none could say he wanted issue, for he had no less than nine in his back.' Sir George Jeffreys succeeded him September 25th, 1683. Grang. Biog. History, vol. 3, oct. p. 367. And Rennington's note to the life of Sir Mathew Hale, prefixed to his edition of his His. of the Common Law of England, p. 42.

most in request. The rogue that will share the spoil of a miserable creditor with the helpmate of his iniquity, will leave unrequited the honorable advocate, whom he will consider but a secondary instrument, or a spy upon his acts; and a low and vile brokerage will degrade that profession which Mr. Clinton would elevate.

With consideration and esteem, I remain yours,
WM. SAMPSON.

From the Georgia Patriot.
Head Quarters—Eastern Department,
Milledgeville, Aug. 29, 1825.

SIR:—I have received your communication, through Mr. Secretary Pierce, with two papers purporting to be copies of letters from your Excellency to the President of the United States, bearing date the 26th July and 6th August, wherein it appears you are pleased to write at me and of me, notwithstanding your avowed resolution not to write to me.

To this wise expedient, to preserve the immense weight of dignity under which your excellency labours, I can have no objection. I take this occasion before mentioning your assumed "facts and arguments" to assure you that I have no authority, whatever, from the President of the United States, or Department of War, to write or speak to you upon any other than public and official subjects—such as I have, with perfect frankness and cordiality, communicated to you, previous to the receipt of your letter of the 17th July. In that letter, you will recollect, you so far lost sight of your own proper sphere of action, as to attempt to give me what you term "a gentle rebuke." You then, then, laid aside the wonted high themes of your brilliant pen—the Federal Government, the Federal Judiciary, State rights, Yazoo claims &c &c—and leaving all these great matters to stand or move in the separate and distinct orbits in which the federal and state constitutions and laws have wisely placed them, you have "descended" rather hastily as it would seem, to unauthorized personal animadversion and "rebuke" touching certain official duties confided to me.

In repelling the personal censure and menace contained in what you have termed your "mild rebuke," I have acted on my own responsibility, without any authority, save that which is implanted in the breast of every upright man, civil and savage, and which is known to the virtuous and wise, as the "first law of nature"—a law which authorizes the free use of the bayonet against the highway robber of money whose weapon is of a deadly hue, and the free use of the pen against the official robber of reputation, whose known weapon is the pen. I have no money; and but little property of any kind, that would command money—and, therefore, have no occasion to guard against the highway robber; the little store of wealth of which I am master, consists of an untarnished reputation, with some testimonials of applause generously and spontaneously bestowed on me by the National and some of the State Legislatures, of which Georgia is one, and by which she and they have secured my lasting gratitude, and strengthened the ties of friendly feeling and brotherly union between us. This little store is highly valued by me. It is my own—my all. It will be held in trust by me, for my children and my country; and it is, therefore, my right and bounden duty to preserve and defend it! It would be criminal in me to neglect it! No earthly law can impair the higher law of self defence and self preservation.

My letters of the 14th, 16th and 22d June, and those of the 1st and 10th July have convinced my friends, whose good opinion I value most highly of my uniform and earnest desire to abstain from collision with you; and, in my answer to yours of the 17th July, it is known that your suggestion of the haste in which you wrote, induced me to decline a reply for a week; and until your letter made its appearance, as usual in a newspaper, doubtless by your permission. If, in mine, of the 28th July, of which you complain to the President, or in my last of the 16th of this month, it should appear that nature or a defective education should have implanted in me a little spice of that knight errantry for which your excellency is so much renowned, and that I should thereby have been tempted to break a lance with you in something like your own proper style, I cannot but hope that my fault, in this case, in following your example, and quoting your own expressions, (the only fault with which I can possibly be charged,) will be pardoned by the President and people of the United States, of whose wisdom and justice and magnanimity I have had the most undoubted proofs. To your Excellency I have no apology to offer—I purpose, however, that in our future correspondence, after disposing of your futile charges against me, that you and I may confine ourselves to our public and official duties. When these are accomplished I hereby promise, should you desire it, to correspond with you, unofficially—until we shall have exhausted the argument; and then we will stand by our—goose quills, and talk of "valor" about which you have written to the President.

In the interim, since you appear to be fond of quotations from the poets, upon the subject of "valor," I will here give you one for your particular consideration and benefit. "The brave vent not their prowess in a storm of words, they let actions speak for them."

In your letter of the 26th July, recommending to the notice of the President the report of your commissioners, you remark that the report "may indeed be said to carry with it its own commentary," and yet you have taken care to furnish it with an elaborate commentary. It has gone forth doubly armed with its own and your commentary. Thus armed and shielded at all points, it remains for me to approach and try its boasted strength. In this necessary measure of self defence, I shall proceed upon the principle indicated in the following quotation: "Out of thine own mouth will I convict thee."

From your "documentary evidence" and from the report of your commissioners, it is my purpose to prove—1st, That your attempt to associate your commissioners with me was an usurpation, as unwarrantable as it was indecorous. 2d, That their report is tainted with misrepresentation and perjury. 3d, That the real object of your commissioners was to thwart my efforts to restore peace among the Indians, notwithstanding their professed desire to co-operate with me in the development of truth, and the restoration of peace and harmony.

If I do not, in my next letter, establish these three points, then will I agree to submit it to the denunciation of your excellency and the whole tribe of your servile newspaper slanderers, during the remaining period of my life.

I have the honor to be,
EDMUND PENDLETON GAINES,
Major General Commanding.

To his excellency G. M. Tabor,
Governor of Georgia.

From the National Journal.

The following correspondence between the Hon. T. H. BENTON and the SECRETARY OF WAR, on the subject of an advanced post on the Upper Missouri, with a view to check the progress of the British Fur Agents in their encroachments on our territory, and to acquire more of that lucrative commerce into our own hands, will be read with much interest. It was the opinion of the British North West Company that the most valuable furs were to be obtained in those sterile tracts of country which lie in the vicinity of Lake Winnipeg, where the rocky and swampy districts are favourable to the beaver but unpropitious to the multiplication of the larger game. In this tract is to be found the territory of the Assiniboin Indians, a little southward of which lie the American line, and the White Earth River, we believe the only navigable stream which runs from the British territory into that of the United States, and which runs into the Missouri, at the very bend where the Secretary of War has ordered the establishment of the new post. From this country the North West Company were always most anxious to exclude all competitors, as we find it is stated in the Earl of Selkirk's Sketch of the British Fur Trade, who goes on further to state—"if any one of these Indians venture to sell a beaver skin to a trader who is not of the North West Company, it is a crime for which he is sure to experience the severest vengeance." Of the value of the British Fur Trade we have formerly spoken; and we rejoice to find, from the letter of Mr. Benton, that the vast disproportion which has hitherto existed between that and the value of our Fur Trade is beginning sensibly to diminish. We have so unreserved a confidence in the activity and enterprise of our own citizens, that in the absence of impediments which are really insurmountable, we have no doubt they will succeed in turning the current of that trade which has hitherto run to the north, east, into our native channels; and in effecting this most desirable change it gives us sincere satisfaction to see the General Government so ready to lend its powerful assistance.

ST. LOUIS, APRIL 20, 1825.

DEAR SIR: The expedition for the Upper Missouri is expected to leave Council Bluffs about this time. The treaties which will be formed with the Indians, and the imposing appearance of 500 well appointed men, will doubtless have good effect upon the state of fur trade; but nothing short of the complete execution of the plan of the late administration can give to that important interest the protection which it demands. A permanent post, at or beyond the Mandan villages, to serve as a point d'appui to our traders, can alone enable our citizens to expel the British from the Upper Missouri, to recover the rich fur trade of the Rocky Mountains, and to maintain their own position in that remote region. It is my intention to renew my exertions at the next session of congress, to obtain the establishment of this post, and I flatter myself, with better success than heretofore, inasmuch as that stumbling block, "expense," which was got out of the old Yellow Stone expedition, can no longer be thrown into my path. The present expedition has removed it forever. The cost of the whole movement, including the purchase of ten or a dozen boats, which can be sold here after, and reimburse a part of the expense, will not exceed the extra appropriation of \$10,000, being \$3,000 less than the estimate of the Quarter Master General Jessup, which itself was so low that several gentlemen thought it was a take in. Even if the expenditure of that sum has to be repeated the amount will be too inconsiderable to furnish a reasonable objection to a national enterprise; still, it would be of some avail in the argument to say, "we want no money—the troops are there;" and to be able to say this, a part of General Atkinson's command must be left above during the ensuing winter. I have to propose to you, therefore, to obtain the President's consent to this arrangement (for your wishes are well known to me) dependent, of course, upon the General's opinion of his own capability to provide for the subsistence and safety of his men; points upon which I have no doubt, but of which the officer commanding on the spot can be the only proper judge. Even if Congress should refuse to make the post permanent, we should still derive some advantage from the stay of the troops during the winter, as the longer the visit the more imposing and durable will be its effect upon the minds of the savages.

The able and cordial support which you have given in the Senate to all our measures for the protection of the fur trade, assures me of your ready co-operation. In your new situation, in any feasible plan for its further security. It has a fair claim upon the national protection, both, as an object of commerce, and as a means of governing the Indians. The British avail themselves of it for both purposes. Their commerce in furs has been about a million and a quarter of dollars per annum, for forty years; ours has been nearly extinct, but is reviving, and will yield 300,000 dollars this spring at this place. Last year we imported \$320,000 worth, and the year before, \$270,000 worth; nearly one half in each year from Canada, that is to say, from our own territory on the Upper Missouri, by the way of Canada. This state of things I have endeavored to alter, but Sisyphean is the labour of effecting any change in the policy of a great nation. With great respect, your obedient and faithful servant,

THOMAS H. BENTON.

Hon. Mr. BARBOUR, Secretary of War.

DEPARTMENT OF WAR,
20th July, 1825.

DEAR SIR:—You do me only justice in referring to my support as far as it can be properly extended in the very important branch of our domestic resources, the fur trade. It will give me great pleasure to be instrumental in securing it for our own citizens, to the exclusion of all others.

That a military post high up the Missouri would essentially contribute to that result, is obvious; but whether its advantages would compensate the disadvantages which are anticipated from such a measure, is a question that you have very properly referred to the wisdom of Congress, whose favorable opinion you mean to obtain, if practicable, at the next session. Meanwhile, as the most entire confidence is reposed in the very sound discretion of Gen. Atkinson, I have, with the sanction of the President, caused an order to be addressed to him, giving him a discretionary power to continue, if he thinks proper, the force under his command in some favorable situation, on the Upper Missouri. For your more particular information, I enclose you a copy of the order. I have the honor to be, your obedient servant,

JAMES BARBOUR.

Hon. T. H. BENTON, St. Louis, Missouri.

HEAD QUARTERS, WASHINGTON,
July 21st, 1825.

SIR:—The attention of the War Department has been called to the subject of the fur trade of the Missouri, and the necessity of preserving it from the encroachments of British skill and enterprise.

With this view it has been suggested to occupy some advanced point on the river, with four or five companies of the number comprising your expedition; so located as best to favour the objects proposed.

The nature and value of the interests thus to be protected, as well as the obstacles attending the execution of the measure thus contemplated, the remoteness of the position, its difficulty of access, and the extreme precariousness of its supplies at this time, will be more fully presented to your view, as possessing that personal knowledge of the country and its resources, so essential to a right decision.

Under these circumstances, you are authorized, at your discretion, if you approve of establishing such a post, to locate it at such eligible point on the Missouri as shall most effectually secure the objects in question, and to make such arrangements for the accommodation of the troops through the winter, as your means will allow.

It is suggested that the extreme north bend of the Missouri, approaching, as it does, most nearly to the British boundary and settlements, might afford a position embracing the greatest advantages.

I am aware that the War Department is every way disposed to promote all the just views and interests of our fellow citizens of the Western States, and I address you this letter, conferring upon you the discretionary power it contains, from the conviction that it could not be placed in better hands. I have the honor to be, Sir, very respectfully, your obedient servant,
JAC. BROWN.

To Brig. Gen. H. ATKINSON.

General SAMUEL SMITH presented a stand of colours to the "First troop of Independent Light Dragoons," at Baltimore, on Monday last. The colours are said to be beautiful.

The troop being formed in readiness, General Smith delivered the following appropriate address on presenting the standard to Lieut. Turner.

The flag which I have the honour to present to the first troop of Independent Light Dragoons on this 12th day of September will at all times, when unfurled, call to their recollection the day on which an invading foe met his first check, a day gloriously venerable to the citizen soldier, a day on which the third Brigade of Maryland, under the brave General Stricker, nobly sustained a conflict against three times its number of the best and bravest troops of an enemy flushed with victory in which your troop sustained its character for good conduct and discipline a day which will ever be held dear to the citizens of Baltimore and their posterity, their children and their children's children will boast that their fathers fought on that day, and the city was saved; should a future occasion offer, (which I pray God to avert,) the First Troop of Independent Light Dragoons attached to the 5th Regiment of the cavalry of Maryland will be always prepared, by good discipline and by their natural bravery, to maintain the high character so nobly sustained by the militia on the 12th day of September, 1814.

On receiving the standard, Lieut. Turner made the following reply:

Venerable Sir,

Words are inadequate to express my feelings on this occasion, this stand of colours being presented by the hand of a fellow citizen, whom our country delights to honour, and whose name is enrolled in the annals of her liberties, we, as Baltimoreans have ever been proud to revere you as the faithful friend and guardian of her rights, and no less General and proud of the honour of bearing this standard than in the receipt of it from your hands, and assure you, sir, and hereby pledge my honour as an American soldier that I will defend it with honor, and surrender it only with my life.

National Journal.

The Grand Ship Canal Company is organized and going into operation in London, with the immense capital of four millions sterling, (£4,000,000). Its object is to construct a canal through which ships of the line may pass from Portsmouth to London, without exposure to the delays and danger of the sea navigation around the Forelands, &c. Another company with a capital of 1,750,000, is incorporated for the construction of harbours and a ship canal, of 15 feet deep, by 90 in width, and 44 miles long, from Seston Bay, in the English Channel, to Bridgewater Bay, in the Bristol Channel; considered as a highly advantageous and beneficial work.—Nat. Gaz.

The following account of a Turkish army in campaign, is from a recent number of the Military Journal of Berlin:—"An Ottoman army may be compared to those bands of armed pilgrims who at one time inundated all parts of Europe; but instead of a long train of pilgrims, bearing the cross and rosary, a Turkish army is followed by dervises, clothed in strange mantles, and riding upon asses, in token of their humility. They are at the head of a troop which carries the colours of the Prophet. After them come a light body called 'the lost children,' who pillage and ravage the country through which the army passes. They precede the timariots, or national militia, mounted upon asses or mules, procured at their own expense, or rather that of the country in which they levy their contributions. Then come the infantry, formerly the pride of the Ottoman army but now entirely degenerated. They are armed with guns without bayonets, and pistols without poignards. They march without order in detachments, like so many flocks of sheep. Behind them are the topchis or artillery men, whose cannons are drawn by oxen or Christian slaves whose pace is quickened by the lashes of the whip. Among these soldiers some are singing others crying, and others firing their pieces in the air.—The rear guard of this mixture is closed by a chief, richly dressed and mounted on a courser. He is surrounded by a crowd of insolent domestics, or by slaves to whom he distributes freely strokes of the sabre, when they do not keep at a respectful distance. Under the protection of these domestics are frequently seen Greek sutlers, Jews who sell clothes, Bohemian story tellers and thieves and executioners. A Turkish army never marches without a number of Jew commissaries who sell the barley for the horses, and wheat for bread; and when the army takes up a position, all the inhabitants of the environs, friends or foes are put under contribution."—Ib.

The Kentucky Whig.

NIL FALSI AUDEAT NIL VERI NON AUDEAT DICERE.

LEXINGTON:

THURSDAY, OCTOBER 6, 1825.

The Court of the People and the Court of the Jacobins. are both in session at Frankfort. The death of Mr Sneed had left the constitutional court without a Clerk. We are pleased to learn that Mr. J. Swigert has been designated his successor. A better selection could not, probably, have been made. for Mr. S. is every way qualified to discharge the duties of this highly important and responsible office. He is a gentleman of respectable talents, and fair character, and has moreover, enjoyed extensive opportunities of qualifying himself for the faithful discharge of the trust which has been confided to him.

We learn that the Court of the People will proceed to perform its duties, without deigning to notice the rival and hostile tribunal, which it is supposed, will continue to pretend to expound the law, and to administer justice. It seems to be the general wish and determination of the constitutional party, that previous to the meeting of the Legislature, no strong measures should be taken against these audacious usurpers of power, and midnight assassins of the constitution. Their fate will then be decided in a firm, but temperate manner; and if they are hurled from their seats in disgrace, their partisans cannot complain, when they advert to the base and dishonorable means by which they procured their unmerited elevation.

Contrary to our expectations, we have not been able, this week, to conclude the remarks which we deem it our duty to make in relation to the recent trial of Isaac B. Desha. In our next they will be continued, and we shall endeavor, as soon as possible, to get rid of a subject, which is unpleasant to us and must be to society.

Isaac B. Desha.—If the partisans of this convicted murderer were disposed to manifest even a semblance of decent respect for the opinions of society; if they had continued to hide their foul acts under the veil of secret juries and midnight caucuses, we would have observed the established rules and preserved the usual silence in relation to his case. But since the creatures of the Governor have thrown aside all shame, and exhibited their unblushing profligacy in open day; since Judges sworn to enforce the laws have disgracefully aided in obstructing their execution, it has become our painful duty, to bring the case of this unfortunate young man before the public, and to invoke its vengeance upon the heads of those officers who have ignorantly, or corruptly, protected him from the merited sentence of the law.

It cannot be forgotten by our readers, that at the last session of our Legislature, Governor Desha, by his personal and official influence, procured the passage of a law to remove the trial of his son from Fleming to Harrison county, and that to effect this object, a petition was presented to the Legislature, which was said to be the act of the accused. Whether this instrument was genuine, or whether, as has been suggested, it was manufactured by the Governor and his able associate John Rowan, it is unnecessary now to inquire. The subsequent submissions of the accused to the law, have demonstrated, that, if he did not solicit its enactment, he was willing to submit to its penalties. It is a well-known fact that, this petition was presented to the House of Representatives by Mr. Rowan, who was then employed as counsel for the accused; that, notwithstanding the delicacy of his situation, he openly advocated it in all its stages; that he procured it to be committed to himself, and then reported the bill which was so indignantly and eloquently denounced by Mr. Wickliffe. The gross and palpable defects of this bill, warrant the belief, that it was drawn with the intention of securing the escape of the Governor's son from that punishment which his crimes demanded. It is known that, when this corrupt and imperfect bill was under consideration before the committee of courts of Justice, the Governor, in utter disregard of all decency intruded himself upon the Committee, interfered with their deliberations, and induced them to report in favor of the change of venue. This measure was, however, subsequently contested in the House of Representatives, with vigor and success, by Wickliffe and other friends of the constitution, who distinctly alleged and demonstrated, that the object of the Governor, Rowan and their satellites, was to impose upon the public with the force of a trial; that they had not only provided for the removal of Isaac B. Desha from the county in which he had perpetrated an enormous crime, but that they designed to rescue him from the hands of an honest and intelligent Judge, and place him in the safe keeping of one who was known to be an humble and subservient tool of the executive. In spite of the influence of the Governor, and the intrigues of Mr. Rowan, the House decided the bill to be radically defective, and ordered it back to the Committee to be amended. Accordingly, a new bill was reported providing for the trial of Desha in the county of Harrison, the friends of the Governor obstinately refusing to place him in the hands of any judge, save John Trimble. This last bill contained a provision that a called court should be summoned, a grand jury empanelled, and an indictment presented in the county of Fleming, previous to the removal of the prisoner to Harrison, if he should elect to be tried in the latter county, and record his

consent to be tried according to the provisions of the law, specially enacted for his benefit. This act further provided, in the most ample and explicit terms, that upon the prisoner so making this election, the Circuit Court of Harrison should have full power and jurisdiction over the offence supposed to have been committed in Fleming. The prisoner made the election, and, in conformity with the provisions of the law, was removed to Harrison. A venire was summonsed, and after allowing to the accused the utmost latitude in his challenges, a jury chosen by himself, found him guilty of the foul offence charged in the indictment. But, fortunately for him, he was the son of the Governor, and it did not comport with the tender mercies of Judge Shannon, to consign one, so exalted by his blood, to the ignominious fate to which he was doomed by the impartial award of his country. He granted him a new trial, upon grounds as false as they were illegal, and as illegal as they were false. He boldly cast aside the dignity of the Judge, and assumed the office of the advocate. He rejected testimony which had been unquestioned, and discredited witnesses who had been unimpeached. He conjured up facts which had no existence, and misrepresented statements which did not admit of refutation. His part had been allotted to him, and if we cannot admit that he played it with ability we must confess that he, at least, manifested sincere and unshrinking devotion to his employers. Let him look to them for his reward, for from his country he has nothing to expect, except her indignant execrations.

Since the decision of Judge Shannon, which will constitute an epoch in criminal jurisprudence, another effort has been made to procure the acquittal of the accused, by another sham trial. Another jury has been elected by young Desha, and he has again put himself upon his God and his country, and again has he been convicted. The indictment under which he was arraigned charged him with the murder of Baker in the county of Fleming, and the jury upon their oaths found him guilty according to the indictment. Thus has he been a second time convicted of a murder perpetrated on the body of Baker, in the county of Fleming. Twenty-four jurymen, selected by himself, have, after the most patient investigation, and mature deliberation, pronounced him guilty of murdering Baker in the county of Fleming, and the same fact had been previously established by the Grand Jury who preferred the indictment. And yet Judge Brown has granted him a new trial, after his second conviction, upon the assumed ground that it was not proved the offence was committed in Fleming. The people of Kentucky will pause, before they pronounce their sentence upon this Judge and his judgment, but when they shall do so, he will shrink under the frown of his indignant country. We are satisfied that the time has not yet arrived, when a Judge can with impunity, pollute the fountains of criminal justice, and bend the laws to subserve the purposes of those who are invested with power, and to whom is confided the disposal of offices. The proud freemen of Kentucky can never be brought to sanction any system of jurisprudence, which, in its dispensations, discriminates between the poor and the rich, the humble and the exalted.

Whether Baker was killed in one county, or another, was a fact for the jury, and not for the Judge, to decide. The jury in the last, as in the former trial, found that Baker had been murdered in Fleming by Isaac B. Desha. And yet Judge Brown has granted a new trial upon the ground that it was not proved where the offence was committed. This is singular indeed. The body of the murdered Baker was found in the county of Fleming, the bridle and the whip of the murderer were found near it, and as Desha did not shew that he had murdered him at a different place, the jury were found to find, that he was murdered where his body was discovered. They did so, but to the eternal disgrace of the Judge, he has ordered their verdict to be set aside, without one legal, or even plausible pretext. The violated laws of God and man, are still unsatisfied and the blood of the unfortunate Baker, still cries to Heaven for vengeance.

To grant, or refuse a new trial, is matter of discretion with the Judge, in criminal, as well as in civil cases; but no Judge, who understands his duties, will ever grant a new trial in any case, except when he believes that justice has been violated by the verdict of the jury. In the case of Desha, it was perfectly immaterial whether he killed Baker in Mason or in Fleming. If guilty of perpetrating a murder in Mason, he deserves death; if in Fleming, he deserves death. What were the grounds of his petition to the court for a new trial? Not that he was innocent, but that the Commonwealth had failed to prove by any witness, that the murder was perpetrated in the county in which the murdered man was found; and that although he was fully convicted of having murdered Baker, still there must exist as to the precise spot where the mortal stabs were inflicted. Such reasons may be gravely urged by hired advocates, and as gravely sanctioned by pliant Judges, but there is no lawyer, or man of sense who will deign to bestow upon them a moment's consideration. They are the most flimsy cobwebs of knaves, and can ensnare none but the most ardent fools. They are at once an outrage to our feelings, and an insult to our understandings.

When Desha consented to be tried under the law which had been passed at his special instance, which invested the Circuit Court of Harrison with the same

power and jurisdiction over his crime, as if it had been perpetrated in that county, there no longer existed any necessity to prove the venue. No matter where the offence was committed, he had deliberately selected the county in which he preferred to be tried, and was tried by a jury of that county, chosen by himself, on an indictment properly found by a grand jury of the county of Fleming. This special act of our Legislature was the only law under which Judge Brown could act in this case. It was in consequence of the expressed assent of the prisoner, to be tried in conformity with the provisions of this law, that the Judge obtained the right and the power to decide upon his fate.

(To be concluded in our next.)

Governor Desha.—We have recently been told by several of the subaltern officers of the relief party, that it is in contemplation, to petition Governor Desha to resign his office. His partisans have at length discovered, as we long since anticipated, that he hangs about their necks like a millstone, and that it is necessary either to cast him off, or to sink with him. His Excellency, as we must call him from courtesy, is unquestionably a most oppressive weight to his party, and we rejoice to find that they begin to groan under the pressure. In utter defiance of the decrees of Heaven, they pertinaciously insisted on making him a great man, and it is now out of their power to reduce him to his native insignificance. If we are not mistaken as to the character and feelings of Governor Desha, we are convinced, that the petitions of his friends, and the denunciations of his enemies, will be found equally unavailing, to induce him to abandon his office, and what is of still greater consequence, in his estimation, to relinquish his salary. He was elevated to his "bad eminence" by base means, and seems resolved to exercise his power for base purposes. His party should be held strictly responsible to his country for his conduct. However disagreeable it may prove, they must submit to the award of an impartial public.

From the Harbinger.

On Monday next, the first Monday of October, the Court of Appeals will meet. Judges Boyle, Owsley and Mills have always been so punctual, that no apprehension need be entertained of a disappointment. Besides the ordinary duty of the court, the important task of appointing a successor to the late amiable and excellent clerk, Mr. SNEED, is to be exercised. Many applicants are preferring their respective claims to promotion. The selection having been made, the court will probably adjourn for a short time, to afford an opportunity to their new officer to prepare for the execution of his trust, by arranging his papers, making out a docket, &c. The court will then, no doubt, in obedience to the declared will of the people, resume its functions so unfortunately suspended. It cannot be believed that the legislative tribunal will attempt to hold the papers, both against the constitution, and the people. It is time that some order should be restored under the guidance of principle. Should the papers which have been seized be retained, no force, it is to be hoped, will be resorted to for their acquisition.—The court will proceed with the business already before them and with such other business as is instituted. No man will be bound by the opinion of the unconstitutional court. The Circuit Courts will not register their mandates. The officers of the state will not venture to execute their mock process. No individual will pay the fee bills pretended to be issued by their amannensis or recorder, as he holds no office recognised by the law of the land—the constitution. No new business can get into this new tribunal, under such circumstances; the decision will be a mockery. Perhaps some delay cases may be filed with Blair—but the Court of Appeals, upon a certificate of the Circuit Court clerk shewing the judgment, appeal and appeal bond, and ascertaining that the record had not been filed with their clerk and in the proper office, will dismiss such appeals with damages and costs. When the community perceive the difficulty and embarrassment to which litigants may be reduced by the pertinacity of such men, who must be conscious that they are neither constitutionally in office, nor approved of by the people, detestation and abhorrence will ensue.

Such an event must certainly be deprecated by Barry and Haggin, even if Trimble and Davidge should be too callous, or too desperate, to feel its force or dread its effects. Barry and Haggin, from their legal attainments and reputation in their profession, certainly, may calculate upon maintaining themselves respectably without the treasury pay; and to them the opinion of society must be of more importance than the \$2000 per annum, dependant upon a dissatisfied and murmuring community. This is not a personal contest, it is a question in which the people are the parties interested; and certainly, when Kendall, the mouth-piece of the New Court party and the leader, says, the people do not want the services of Barry and Haggin and Trimble and Davidge, there will be more pride than to force upon their own party undesired services. There is more honour in retracting error than in obstinately persevering. There is more magnanimity in retracting false steps, than in pushing on headlong until the power of recession is lost. The earlier an evil is remedied, the better for all parties. Let Barry and Haggin resign with what pomp and parade they may choose; let them speak from the bench clothed in their official, and surrounded by the appearance of a judicial tribunal, or address the public from the closet; either may be granted to their vanity or their pride, or to the desire of making show of importance; but no time should be lost in announcing to the public, that quiet is restored, and that the business of the country is no longer to be interrupted.

From the National Journal.

We rejoice to have it in our power to lay before our readers the following official report from Commodore Warrington, by which it will be seen that the pirate hords along the coast of Cuba have been completely broken up. The fact that these depredators can no longer exhibit themselves in such force as to cause any serious alarm, will give new confidence to those engaged in the peaceful pursuits of commerce; and the energy which has been exercised in the extermination of the corsairs, will add still more to the favour which our gallant navy already so deservedly enjoys with the people of the United States:

U. S. Ship CONSTELLATION,

Off Havana, Aug. 29th 1825.

Sir: To enable you to ascertain what exertions have been made by, and what success has attended the efforts of the squadron under my command, I forward by this conveyance, a copy of all the reports made by the different commanders of its cruisers. If pirates are now, or have been, in force lately on either side of

Cuba they have not only abstained from making captures, but have concealed themselves so effectually as to prevent detection. The orderly conduct of the fishermen on the coast, the steady pursuit of their occupation, and the absence of all suspicious persons, induce a belief that these outlaws are not at present collected in any force. I shall, however, keep a watchful eye on the island, and prevent, if possible, the commission of depredations which may be attempted under a belief that we are relying too much on appearance.

I am, with great respect, your obt. servt.

L. WARRINGTON.

To the Hon. Secretary of the Navy, Washington.

Extract of a letter dated Cincinnati, (Ohio.) August 30, 1825.

"Judge Bates has completed his surveys of the Louisville Canal, and estimates the cost at 450,000 dollars, including two dry docks, &c. We have had offers from two different companies, to take the work at the Judge's estimates. He (Judge B.) says that however sanguine we may have been as to the profitability of the stock, we shall find that it will go far beyond our highest estimate, and that the charter is the most favorable one ever granted in the United States."

A Giant.—On the 18th June, a man named Peter Tuckan died at Posen, in the 29th year of his age, of dropsy in the chest. He was a native of Tula, and remarkable in gigantic stature. He measured eight feet seven inches in height, so that the hands of the tallest man hardly reached his breast. It is remarkable that he had no beard, that his voice was soft and feeble; he was a very moderate eater, and it is said he was seven years old before he began to grow in such an extraordinary manner. His stature continued to increase, and it appears that he continued growing to his death.

MARRIED,

On the evening of the 29th inst. by the Rev. Geo. Chapman, John F. Anderson, Esq. of Lexington, to Miss Nancy O. Martin, eldest daughter of John L. Martin, Esq.

On the same evening, in Frankfort, by the Rev. E. Smith, Mr. Jacob Ryman, to Miss Elizabeth L. Hawes.

STENOGRAPHY.

Let the orator and sage with swift words abound,
And the faithful pen shall copy every sound:
Ages unborn shall rise and read this quaint art,
And quick to their children its mystery impart.

MR. STETSON

WILL deliver a public gratuitous introductory lecture, on the science of Stenography, in the Medical Lecture Room, this evening, commencing at 7 o'clock.

The ladies and gentlemen of Lexington, who feel interested in whatever is calculated to facilitate the acquisition of useful knowledge, are respectfully invited to attend. For further information see hand-bills. October 6.

LAW LECTURES.

Jesse Bledsoe & Charles Humphreys

PROPOSE delivering a course of LECTURES on LAW respectively during the ensuing season, commencing the 1st Monday in NOVEMBER next, and ending the 1st of March. The Pupils of both will have the use of their joint Libraries, and the Tickets of both will not exceed 50 Dollars in currency, and \$5 for contingent expenses. Their Tickets may be taken separately, and the instruction of one or both be had, at the option of the students. They will Lecture on different branches of the Science. J. BLEDSOE on Common and Statute law, including the various branches of Remedy in Equity; and C. HUMPHREYS on Equity, Maritime and Mercantile Law, and the Practice of Law, including Actions and Pleadings. A Legislative Assembly and Moot Court will be held.

J. BLEDSOE.

CH. HUMPHREYS.

October 6.

3-3v.

SECOND DRAWING

OF CLASS NO. 2.

LOUISVILLE HEALTH LOTTERY,

Will take place at Louisville within TEN DAYS.

Present price of Tickets in Lexington, at PIKE'S OFFICE.

\$3 each, but will soon rise to \$5 50.

October 6

NINTH CLASS

Grand Masonic Hall Lottery,

WILL BE DRAWN

The last of this month.

TICKETS, THREE DOLLARS each. A discount of ten per cent. will be made to those who purchase SIX or upwards.

Orders from abroad (post paid) addressed to JAMES M. PIKE, Lexington or Louisville, will receive the same prompt attention as if personal application were made. October 6.

"This is the time of day, my Flower," BOB LOGIC.

152,000 DOLLARS!!!!

TO BE OBTAINED AT THE

LOTTERY OFFICES OF

J. M. PIKE,

IN LEXINGTON OR LOUISVILLE.

By purchasing Tickets in the

Maryland State Lottery,

Which will be drawn in Baltimore

IN A FEW DAYS.

MADAME FORTUNE

Distributes the above splendid sums in PRIZES of

30,000 DOLLARS!!!

10,000 DOLLARS!!

5,000 DOLLARS! &c. &c. &c.

A few Tickets ONLY remain on hand, which can now be purchased for \$6—on Monday next they rise to SEVEN. October 6.

JAMES M. PIKE,

WANTS to purchase a NEGRO GIRL, from 10 to 15 years of age. Make application at his Lottery and Exchange Office, Lexington.

October 6

3ow

OFFICE BANK U. STATES,

Lexington, Sept. 19, 1825.

CHECKS, at sight on the BANK OF THE UNITED STATES, at 12 per cent.

Sept. 19

3ow

THE RECORD.

(From a volume of Poems by the Authoress of the "Improvisatrice.")

He sleeps, his head upon his sword,
His soldier's cloak a shroud;
His church-yard is the open field—
Three times it has been plough'd:

The first time that the wheat sprung up
'Twas black as if with blood,
The meanest beggar turned away
From the unholy food.

The third year, and the grain grew fair,
As it was wont to wave;
None would have thought that golden corn
Was growing on the grave.

His lot was but a peasant's lot,
His name a peasant's name;
Not his, the place of death that turns
Into a place of fame.

He fell as other thousands do,
Trampled down where they fall,
While on a single name is heap'd
The glory gain'd by all.

Yet even he whose common grave
Lies in the open fields,
Died not without a thought of all
The joy that glory yields.

That small white church in his own land,
The lime trees almost hide,
Bears on the walls the names of those
Who for their country died.

His name is written on those walls,
His mother read it there,
With pride,—oh! no, there could not be
Pride in the widow's prayer.

And many a stranger who shall mark
That peasant roll of fame,
Will think on prouder ones, yet say
This was a hero's name.

A celebrated improvisatrice, named Rosa Taddei, is now at Rome where she excites the enthusiasm of the numerous audiences, who behold her performances with delight and astonishment. On the 3d of July she composed extemporaneously on several subjects in different metres. An elegant style, splendid imagery, rhymes always happy, and verses always harmonious, have distinguished her effusions. She unites profound learning to the most lively wit. The Latin Academy have hastened to inscribe this new Corinna in the number of their members.—*Nat. Gaz.*

The Scotch are a very inquisitive people.—Their various questions are deemed obtrusive, and are carried to a great length. Two gentlemen fell in together, both travellers on horseback, and strangers to each other, when the following conversation took place:— "Raw evening, Sir, rather," observed the one, with an Aberdeens accent: "Yes, rather," replied the other. "You will likely be a stranger in these parts," continued the Aberdeensian: "If I can," laconically replied the other looking neither to the right hand nor to the left. "Perhaps like myself, you may be going to Banff?" "Perhaps," responded the other, yawning. "In that case, perhaps, you will put up at Cullen?" "I may, or I may not," answered his companion. "Pardon me the liberty of the question, Sir, may I ask if you are a bachelor?" "No." "Oh! married?" "No, no." "Sir, I beg your pardon, I may have unintentionally touched upon a painful subject; your black dress ought to have checked my inquiries; I beg your pardon, sir—a widower?" "No, no, no." "Neither a bachelor, nor married man, nor widower; in Heaven's name, sir, then, what can you be?" "A divorced man, and be damned to you, since you must know!" exclaimed the stranger, clapping spurs to his horse, and dashing out of sight in an instant.
London Courier.

ANOTHER LION FIGHT.
This shameful—this disgraceful breach of the peace, was, by the pusillanimity of the Magistrates, suffered to be repeated on Friday at Warwick, when the savage hearted Wombwell produced another lion of a more fierce description than the gentle Nero to be baited by dogs. This animal which was whelped at Edinburgh in the year 1819 and weighs about 400lb produced in consequence more sport, and gave greater pleasure to the inhuman bipeds who delight in cruelty— Would they could a little of those tortures they so unfeelingly inflict on the poor animals.

The conditions of the contest were:
1st. Three couples of dogs to be shipped at him, two at a time.
2d. Twenty minutes or more, as the umpire should think fit, to be allowed between each attempt.
3d. The dogs to be handed to the cage, namely Tinker, Ball, Billy, Success, Turpin and Tiger. Umpires Messrs Phillips of Shrewsbury, and Mr. Rainford of Liverpool; Messrs Edwards and Wedgebury, seconds to the dogs.

THE FIGHT.
In the first round Tinker and Ball were let loose, both made a gallant attack, the lion by their barking having waited for them as if aware of his foes. He showed himself a forest lion and fought like one. He clapt his paw upon poor Ball, took Tinker in his teeth, and deliberately walked round the stage with him as a cat would a mouse. Ball released from the paw, worked all he could, but Wallace treated his slight punishment with a kick now and then.—He at length dropped Tinker and he crawled off the stage as well as he could. The lion then seized Ball by the mouth, and played precisely the same game with him as if he had actually been trained to it. Ball would have been out and outed there and then, but his second got hold of him through the bars, and hauled him away. Betting 5 to 4 on the Lion at setting to, was now 2 to 1.

Round 2 Turpin a London, and Sweep a Liverpool dog, made an excellent attack but at three or four minutes before the ingenuity of their seconds could get them, Wallace squatted on his hinder haunches and placed himself erect at the slope where the dogs mounted the stage, as if he thought they dared not approach. The dogs, when on, fought gallantly, but both were served out in less than a minute after the attack and however game, maiming took it out of them. The London dog bolted as soon as he could extricate himself from the Lion's grasp, and Sweep would have been killed on the spot, but he was released and bolted as well. Some murmurs arose that the dog Sweep had a right to go on again. The umpires said no. It was only a gentle wrangle, for the dog could scarcely have been dragged on. It was now all the pictures in Warwick Castle, to the broken casement of the Factory on the noble Wallace, who however, was supposed to

have shied the dogs, but our Correspondent thought otherwise, and that two or three hours a day at the best dogs in the country (coupled) would only amuse him.

A Secret Committee was now held in the menagerie of wounded dogs in the factory, amongst the owners of the animals. Wedgebury, the purveyor of the London dogs, swore with more energy than elegance, that he would not bring the dog Billy to the scratch. Edwards had got his dog Tiger ready, and said, 'why you would not disappoint the *Gemmen*, would you? This seemed to have an impression on Wedgebury, who rallied Billy casting a most piteous look upon the wounded dogs around him. Billy was brought to the scratch, and then he was told with vociferations vulgar enough, as people expected that six dogs would fight. Billy was more willing than his master, who at last, reluctantly let him loose, and both dogs went to work, when Wallace seized him by the loins, and shook him severely, Tiger his pal having run away. Wedgebury then sung out "there you see, you have gammoned me to have the best dog in England killed," and though he was not exactly killed, he was bit an inch or two deep in the loins, and thus ended this scandalous exhibition; and we are sorry to add, that, to the disgrace of the 'Warwickshire lasses' several well dished females witnessed the contest from the upper stories of the Factory.

FOUCHE'S ACCOUNT OF HIS POLICE.

From his Memoirs.
It was to the central focus of my cabinet that all the great affairs of state, of which I grasped the strings, finally converged. It will not be doubted, that I had salaried spies in all ranks and all orders; I had them of both sexes, hired at the rate of a thousand or two thousand francs per month, according to their importance and their service. I received their reports directly in writing, having a conventional mark. Every three months, I communicated my list to the Emperor, in order that there might be no double employment; and also in order that the nature of the service, occasionally permanent, often temporary might be rewarded either by places or remunerations. As to the department of foreign police, it had two essential objects, namely, to watch friendly powers, and counteract hostile governments. In both cases, it was composed of individuals purchased or pensioned and commissioned to reside near each government, or in each principal town, independent of numerous secret agents sent into all countries, either by the minister of foreign affairs, or by the Emperor himself. I also had my foreign spies. It was in my department, also, that foreign gazettes prohibited to the perusal of the French people, and transcripts of which were sent to me, were treasured up. By that means, I held in my hands the most important strings of foreign politics; and I discharged, in conjunction with the chief of the government, a task capable of controlling or balancing that of the minister charged with the functions of foreign relations.

I was thus far from limiting my duties to espionage. All the State prisons were under my control, as well as the *gendarmerie*; the delivery and the *visa* of passports belonged to me. To me was assigned the duty of overlooking amnestied individuals and foreigners. I established general commissariats in the principal towns of the kingdom, which extended the network of the police over the whole of France, and especially our frontiers.

My police acquired so high a renown, that the world went so far as to pretend that I had, among my secret agents, three nobles of the ancient regime, distinguished by princely titles,* and who daily communicated to me the result of their observations.

I confess that such an establishment was expensive; it swallowed up several millions, the funds of which were secretly provided from taxes laid upon gambling and prostitution, and from the granting of passports. Notwithstanding all that has been said against gambling, reflecting and decided men must allow, that in the actual state of society, the legal converting of vice into profit is a necessary evil. A proof that all the odium attendant on the measure is not to be attributed exclusively to the republican governments, is that at the present day, gambling taxes form part of the budget of the old government now re-established. Since it was an unavoidable evil, it became necessary to employ severe regulations, that the disorder might at least be under control. Under the empire, the establishment of which cost nearly four hundred millions of francs, since there were thirty families to be provided with dignities and honors, it became necessary to organize the gambling-houses upon a much larger scale, for the produce of them was not solely destined to reward my moving phalanxes of spies. I nominated as superintendent general of the gambling houses in France, Perrien the elder, who already farmed them, and who, after the coronation, extended his privilege over all the chief towns of the empire, upon condition of paying fourteen millions yearly, independent of three thousand francs daily to the minister of the police. All, however, did not remain in his hands.

All these elements of an immense power did not reach my cabinet there to expire without utility. As I was informed of all, it became my duty to centre in myself the public complaints, in order to make known to the head of the government the uneasiness and misfortunes of the state.

I will not, therefore, dissemble, that it was in my power to act upon the fear or terror which either more or less constantly agitated the possessor of unlimited power. The great searchers into the state, I could complain, censure, and condemn, for the whole of France. In this point of view, what evils have I not prevented? If I found myself unable to reduce, as was my wish, the general police to a mere scarecrow, or at least to a benevolent institution, I have at least the satisfaction of being able to assert, that I have done more good than ill; that is to say, that I have avoided more evil than it was permitted me to do, having almost always to struggle with the prejudices, the passions, and the furious transports of the Chief of the state.

In my second ministry, I succeeded much more by the force of informations and of apprehensions, than by the restraint and employment of coercive measures. I received the ancient police maxim, namely, that three persons could not meet and speak indiscreetly upon public affairs, without its coming the next day to the ears of the minister of police. Certain it is, that I had the address to make it universally believed that wherever four persons assembled, there, in my pay, were eyes to see and ears to hear. Such a belief, no doubt, tended to general corruption and debasement; but on the other hand, what evils, what wretchedness, what tears has it prevented! Such then was this vast and terrific machine called the general police of the empire. It may easily be conceived, that without neglecting the details, I was chiefly engaged upon its ensemble, and its results.

*The Prince de L—t, the Prince de C—, and the Prince de M—.

SHOT AND LEAD.

I HAVE on hand, a supply of SHOT & LEAD from the Herculaneum, for sale at Louisville prices, with the addition of carriage.
E. I. WINTER.
Sept. 22 10w

MERCHANDISE.

The Subscriber is receiving his supply of
Fall and Winter Goods.

HE has an elegant assortment of superfine and common BLUE and BLACK CLOTHS and CASSIMERES—INGRAIN CARPETING—Flowered Paper for rooms—Bolting Cloths—Olive Oil in canisters for machinery, &c. His GOODS will be disposed of at his usual low rates, either wholesale or retail.

JOHN TILFORD.
September 26 20w

CHEAP MERCHANDIZE.

E. Warfield,
HAS just received, and have now on sale, at his store, Main-street, Lexington, an elegant assortment of

SEASONABLE GOODS;
Which he will sell on reasonable terms, for cash in hand. Also—Superior rifle GUN POWDER by the keg, and WHISKEY by the barrel.
Sept. 22 10w

NEW GOODS.

THE SUBSCRIBER has just imported from Philadelphia, and is now opening at his store, Main-street, Lexington, opposite the Court house, a choice assortment of GOODS, selected with great care by himself, among which are the following articles, viz:

Superfine Broad Cloths and Cassimeres, assorted
Polisse Cloths, Flannels and Baize, do
Figured and Plain Bombazettes, do
Denmark Satins and Silk Stripes, do
Irish and Russia sheetings, do
Table and Russia diapers, do
Irish Linens and brown Holland do
Linen and cotton drillings do
Furniture calicoes and ginghams do
Wide and a row fancy calicoes do
Cotton and linen cambrics do
Long lawn and cotton handkerchiefs do
Jackonet and mul mul muslins do
Figured and plain book do
Canton crape and crape robes do
Cape and cotton handkerchiefs do
Italian crapes and crape scarfs do
Pink muslin robes and white do with col'd borders do
Plain and figured silks, assorted do
Figured silk and gauze handkerchiefs do
Bandana and black silk do do
Silk, cotton, and worsted hose do
Silk and Beaver gloves do
Nankin, silk, twist, and buttons, do
Ribbons, tapes, laces, and edgings do
Tulle, tucking, and shoe combs do
Wide and narrow domestic plaids do
Domestic and Russian plaids & bed ticking do
Furniture and domestic checks do
Brown and bleached cotton sheetings do
Fine Sea Island and common cotton shirtings do
Silk Mersailles and Valencia vesting, assorted do
Bolting cloths, from No. 1 to 7, warranted do
Stuffs, Morocco, and leather shoes, assorted do
Best Madeira and London Particular WINES do
Best 4th proof FRENCH BRANDY do
Best Imperial, Gunpowder, and Young Hyson TEAS do
LOAF SUGAR, Coffee, and Chocolate do
All-spice, pepper, cloves and mace do
Nutmegs, cinnamon, and mustard do
Best Bengal Indigo and Patent blacking do
Madder, coppers, and alum do
Quens, China, and Glassware, assorted do
Window glass and cut nails do
Spades and shovels do
Cradling and Grass SCYTHES do
And a general assortment of **HARDWARE and CUTLERY.**

These Goods being laid in very low, and with such great care, that all who may wish to purchase, will find it their interest to call.

ALEXANDER PARKER.
September 22 1-4w

NEW BOOKS.

Segur's Expedition to Russia.
Memoirs of FOUVER, Duke of Otranto, Minister of the General Police of France.
For Missionaries after the Apostolical School, a series of Orations. In four parts: 1. The Doctrine, 2. The Experiment, 3. The Argument, 4. The Duty. By the Rev. Edward Irving, A. M.
Sales of the Crusades, by the Author of "Waverley"
Gaieties and Gravities.

Just received, by
W. W. WORSLEY.
Books, such as Novels, History, Biography, Travels, &c. hired by the volume.
Fancy Job Printing and Letter Press Printing generally, neatly and promptly executed at W. W. Worsley's Printing Office, above his Bookstore.
Sept. 22 1-3w

T. PARK,

(Jordan's row, opposite the Public square.)

GRAIEFUL for past favours, respectfully informs his friends and the public generally, that he has on hand, an elegant assortment of

Boots, Shoes and Pumps,

Of the best materials, and executed by first rate workmen.

Also—**Ladies' Fine Leather Shoes.**

He will employ five or six first rate JOURNEMEN, of immediate application be made, to whom he will give highest prices.
Sept. 22 10w

HUGH W. HAWES,

Counsellor and Attorney at Law,
WILL leave Louisville, his present residence, on the 20th of October next, to establish himself in NEW ORLEANS, where he will attend strictly to the duties of his profession. He will also attend to the settlement of accounts and receiving monies of Commission Merchants or others. Previous to that time, letters may be directed to him at Louisville. To avoid the risk and detention of the mail, he will if directed, remit monies collected, to Louisville, to be deposited in the U. S. Bank subject to the order of the owner.

References:
RICHARD HIGGINS, } Lexington, Ky.
RICHARD H. CHINN, }
ROBERT WICKLIFFE, }
THOMPSONS & BALLESS, } Louisville, Ky.
SNEED & ANDERSON, }
FIELD & HILL. }
September 22 10w

RICH'D. H. CHINN,

CONTINUES to practice law in the Fayette and Scott Circuit Courts. He will in future regularly attend the Circuit Court of the United States—the Court of Appeals and General Court at Frankfort. His office is kept in Short street, two doors below the Branch Bank, Lexington.
Sept. 22 10w

LAW NOTICE.

Leslie Combs,
INFORMS his clients, that his Office is kept open during his occasional absence, and Mr. J. B. COLEMAN is authorized to transact all kinds of business.
Sept. 29 20w

Transylvania University.

THE session for the four academical classes will open on Saturday, the first of October. The students, who are then in town, will report themselves to the President at that time, and collegial exercises will begin on Monday-Sept. 29

A CARD.

It will be a mutual convenience to the students and the inhabitants of the town to have such families, as are willing to take boarders, make it known to the President of the University, with the price, when washing fuel, and candles are included, and when they are not. Students from abroad generally ask him for information.
September 29 2-3w

PROPOSALS

For publishing at Lexington, Ky. a Newspaper, entitled the

KENTUCKY WHIG.

When public patronage is solicited for a new political journal, it is both necessary and decorous for the editor to avow, with distinctness and candor, the objects which he proposes to accomplish, and the principles which designs to inculcate. This I shall attempt to do as briefly and perspicuously as possible.

For several years past I have viewed with suspicion and alarm the conduct of the dominant party in this state; and their recent acts, whilst they have demonstrated that my apprehensions were well founded, have impressed me with unaffected horror and indignation. I have been a close observer of their perfidious machinations from the commencement through every progressive stage of their career; and though at an early period I became fully satisfied of the ultimate objects of their leaders, the cautious prudence of the press, manseled as it was by false delicacy, or puerile timidity, precluded me from exposing those wily conspirators, who I beheld hurrying my country into that abyss, in which they have finally buried her peace, her reputation, and her glory. My suspicions and predictions were too generally regarded as the chimerical suggestions of an over-heated zeal, and I found but few who were disposed to believe that the leaders of this party would ever dare to proceed to those desperate lengths by which they have sealed their own infamy, and consummated the disgrace of their country. Few individuals were prepared to anticipate the possibility, that in 1824, our Legislature would, by solemn manifesto, proclaim to the world, that Kentucky had no constitution, except the will of the ascendant party; that minorities had no rights; and that majorities could do no wrong. Three years since, there was not a public man in the state would have dared even to whisper such nefarious and treasonable doctrines; and if any person had presumed to announce to the world that such principles were secretly entertained by Joseph Desha, John Bowman, and William T. Barry, he would have been unhesitatingly denounced by these gentlemen and their partisans as an unprincipled and flagitious calumniator.

This early maturity of political corruption and profligacy in our infant republic, is an awfully instructive lesson to the people of the necessity of watching their public servants with stern jealousy and unremitting vigilance. If the sentiments of the press had not slumbered at their posts, those insidious demagogues who, by perverting the principles and leading the understandings of the people, have acquired such pernicious influence, would never have been able to consummate their designs, and we should not now be required to weep over the ruin of our constitution. If these impostors had been exposed at the proper time in their native grossness and deformity of character the people would have recoiled with unaffected horror from their contaminating embrace, and would have spared the anguish and mortification with which they at present revert to their blind credulity and disastrous infatuation. They would have expelled the subtle serpents from their bosoms; they would have repudiated their confidence in less specious, but more faithful agents; and poor degraded Kentucky might still have stood proudly erect among her sister states, displaying her unblushing brow, graced with the modest wreath awarded to the intelligence of her honest statesmen, and decked with the prouder laurel purchased by the blood of her heroic sons.

I feel no hesitation in expressing my most unqualified detestation of, and determined hostility to, the weak and wicked policy which has been so steadily pursued by our Legislature, and which has rendered our state an object of general wonder, contempt, and ridicule, to the whole union. I believe that it has been a dishonest, one-sided policy, designed to benefit the few at the expense of the many, and that it has disgraced, humiliated, and impoverished the country. Deeply impressed as I am with these convictions, I shall labour assiduously to open the eyes of my countrymen to their real situation, and shall unceasingly animate them to cast off the yoke of the disgraceful bondage which has been imposed upon them by a bankrupt aristocracy.

Whilst I shall ever be among the foremost in sounding the alarm at the approach of real danger, I shall consider it my duty, as far as it lies within the compass of my power, to rescue my countrymen from those idle and visionary apprehensions, which have, hitherto, been so industriously instilled into them by designing politicians. I shall place before them a free and candid exposition of the conduct heretofore pursued, and of the principles heretofore professed, by those insidious demagogues who are playing upon their fears. By this means I shall be enabled to satisfy them, that all the lively and hypocritical sensibility manifested by these disorganizers for popular liberty and state rights, is nothing more than the shallow artifice, ordinarily resorted to by those, who endeavor to rise upon the credulity, and to fatten upon the plunder of the people.

In the investigation of public measures, I have ever found it to be impossible to separate in my mind, the actors from their acts. When, therefore, I shall consider it my duty to expose the folly, or ruinous tendency, of the measures of our rulers, I shall likewise, when I deem it necessary, fearlessly inquire into the secret and corrupt motives of their conduct. It is remarked by the celebrated Junius, that "MEASURED AND NOT MAN, is the common cant of affected moderation; a base, counterfeit language, fabricated by knaves, and made current among fools. Such gentle censure is not fitted to the present degenerate state of society. What does it avail to expose the absurd contrivances, or pernicious tendency, of measures, if the man who advises, or executes, shall be suffered, not only to escape with impunity, but even to preserve his power?" This is correct republican doctrine, in entire consonance with the genius of our government, and in perfect conformity with the recognized freedom of the press. Upon this point, my individual feelings and convictions fully coincide with my public duties, and I trust that I shall ever be found prompt in invoking and directing the vengeance of an injured and insulted public upon the head of the wretch who shall endeavor to gratify his personal ambition or avarice at the expense of the honour and happiness of his country. Demagogues, however exalted they may be in public station, or in popular estimation, shall be dragged before the public, stripped of their "blushing honours," and pageant plumage, and exposed in their native deformity to the ridicule and detestation of society. Even the dazzling halo which surrounds the executive and judicial chairs, shall not intimidate me from investigating the propriety of the conduct of the high functionaries by whom they are occupied. It is one of the best settled, and one of the wisest principles of our government, that every agent of the people is directly amenable to them; for the manner in which he discharges his public trust; and it may be safely assumed as a consequential axiom, that when he is known to neglect, or abuse it, the editor, who hesitates to proclaim the fact, is a disgrace to his profession, and utterly unworthy of public confidence, or support. Under these impressions, I shall consider myself bound to enter into a severe investigation of the characters and conduct of certain individuals, who, by a long course of cunning and treachery, have become the unworthy depositories of the confidence and power of the people of Kentucky.

NELSON NICHOLAS.